



# WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

**Ronald Sklansky**  
*Clearinghouse Director*

**Richard Sweet**  
*Clearinghouse Assistant Director*

**Terry C. Anderson**  
*Legislative Council Director*

**Laura D. Rose**  
*Legislative Council Deputy Director*

## CLEARINGHOUSE RULE 01-116

### Comments

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]**

#### **2. Form, Style and Placement in Administrative Code**

- a. In s. HFS 111.04 (3) (b), “shall” should replace “must.”
- b. Parenthetical abbreviations should be deleted throughout the rule. For example, see s. HFS 111.04 (4) (b) 1. d. and g.
- c. The material in s. HFS 111.06 (4) (c) should be moved to sub. (3) because it relates to requirements for training course approval.
- d. It appears that s. HFS 111.07 (1) (c) should be designated as s. HFS 111.07 (1) (b).
- e. It appears that the requirements set forth in s. HFS 111.07 (2) (f), other than the requirements set forth in the first sentence; the second sentence of s. HFS 111.07 (2) (q); and the last three sentences of s. HFS 111.07 (2) (r); are operational requirements that apply to an emergency medical technician (EMT)-intermediate service rather than required elements of an EMT-intermediate operational plan. Therefore, it appears that these provisions should be included in a separate section of the rule.

#### **4. Adequacy of References to Related Statutes, Rules and Forms**

- a. The statutory citation in s. HFS 111.03 (37) should be changed to s. 441.06 (1), Stats.

b. How can a member of the public obtain access to the “guidelines” referred to in s. HFS 111.03 (41)? Do these guidelines meet the definition of a rule? [See ss. 227.01 (13) and 227.10 (3), Stats.]

c. In s. HFS 111.06 (2) (b), it appears that “under par. (d)” should be inserted after “renewal.”

### **5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In s. HFS 111.03 (20), “emergency” should replace “emergent.”

b. In s. HFS 111.03 (24), it appears that “an agreement for” should be inserted after “means.”

c. The definition of “off-line medical direction,” in s. HFS 111.03 (26) is unclear and should be expanded.

d. In s. HFS 111.04 (1) (e), how is it determined whether equivalent training is acceptable to the department? Is there a process to appeal this decision?

e. Is the plan referred to in s. HFS 111.04 (4) (b) an EMT-intermediate operational plan, as defined in s. HFS 111.03 (14)? If so, the defined term should be used.

f. It is unclear what is meant by “this procedure” in s. HFS 111.04 (4) (b) 2.

g. In s. HFS 111.04 (5) (b) 3., it appears that “continuing” should be changed to “refresher.”

h. In s. HFS 111.04 (5) (b) 5., “Present” should be deleted.

i. Should s. HFS 111.045 (2) (b) specify that the renewal requirements referred to must be complied with only when a provisional EMT-intermediate would otherwise be required to obtain the renewal of his or her license?

j. In s. HFS 111.06 (1) (e), “person” should be changed to “training center.”

k. The rule contains two provisions designated as s. HFS 111.06 (2) (a) 8. The requirement in the second s. HFS 111.06 (2) (a) 8., that an EMT-intermediate instructor-coordinator shall be certified as an EMT-intermediate instructor-coordinator by the department is confusing because it is listed as one of the requirements to obtain department certification.

l. In s. HFS 111.06 (2) (d) 1., “Have” should be deleted. If “documentation of” were added to par. (d) (intro.), that phrase could be deleted from subs. 2., 3. and 4.

m. The rule should contain a description of the feasibility study that is required under s. HFS 111.07 (1) (a).

n. The rule should set forth the data collection requirements that apply to an EMT-intermediate service, which are referred to in s. HFS 111.07 (2) (m).

o. The phrase “who are qualified under one of the following,” in s. HFS 111.07 (2) (u) 1., is confusing and should be replaced with “as provided under either of the following.”

p. In s. HFS 111.07 (2) (u) 3., how is it to be determined that a patient requires EMT-intermediate equipment and treatment skills? If it is determined that a patient requires only EMT-basic equipment and treatment skills, must an EMT-intermediate be present in the patient compartment with the patient at all times?

q. Section HFS 111.07 (3) (b) should specify that the operational plan for phase-in of full-time coverage is not required to meet the requirements of s. HFS 111.07 (2) (u) 4.

r. In s. HFS 111.07 (3) (c), “intermediates” should be replaced with “EMTs-intermediate.”

s. Section HFS 111.07 (7) appears to require an EMT-intermediate service to offer a refresher course outside of an approved EMT-intermediate training center. Is this intended?

t. The rule should clarify whether on-line medical control must be provided by an EMT-intermediate service. Section HFS 111.07 (2) (f) provides that there shall be two-way voice communication between every ambulance and the medical control physician. However, under s. HFS 111.07 (7) (a) 2. and (b), the use of on-line medical control physicians appears to be optional.

u. What are the “standards of professional practice” referred to in s. HFS 111.07 (7) (a) 8.?

v. Should s. HFS 111.07 (7) (a) 9. specify that a medical director should approve EMTs-intermediate to perform skills only if they find that the EMT-intermediate is qualified to perform those skills?

w. What is meant by the phrase “restricted in providing EMT-intermediate service,” used in ss. HFS 111.07 (7) (a) 10. and 111.08 (3)? It is unclear whether this phrase means that a person may not perform any EMT-intermediate skills or that they may be restricted from performing only certain skills. May a person who is “restricted in providing EMT-intermediate service” perform at the EMT-basic level?

x. The first sentence of s. HFS 111.07 (9) (b) should be written in the active voice--“An ambulance service provider shall . . . .”

y. In s. HFS 111.08 (2) (a), “the provisions” should be changed to “any provision.”

z. Section HFS 111.08 (4) should be rewritten to clarify that the right of the department to “reproduce” applies only to the records of a licensee, not to the equipment or vehicles of a licensee.

aa. Section HFS 111.08 (5) should specify to whom the written notice must be sent.